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## TRANSMITTAL FORM

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Application Number	09/445328
Filing Date	December 7, 1999
First Named Inventor	Kuber T. Sampath
Art Unit	1647
Examiner Name	D. S. Romeo
Attorney Docket Number	JJJ-P01-514

Amendment/Reply Petition After Final Petition After Final Petition After Final Petition Petition After Final Petition Convert to a Provisional Application Decoration Change of Correspondence Address Extension of Time Request Terminal Disclaimer Request Request Provisional Application Status Letter X Other Enclosure(s) (please Identify below):  Express Abandonment Request Request Copy of Priority Document(s)  Reply to Missing Parts/ Incomplete Application Requirement Reply to Missing Parts under 37 CFR 1.52 or 1.53  SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT  Firm Name ROPES & GRAY LLP  Signature After Final Petition (Appeal Sommunication to TC (Appeal Septies) Proprietary Information to TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information TC (Appeal Notice, Brief, Reply Brief)  Proprietary Information  Status Letter  X Other Enclosure(s) (please Identify below):  Response to Restriction Requirement Return Receipt Postcard  Response to Restriction Requirement Return Receipt Postcard  Reply to Missing Parts/ Incomplete Application  Reply to Missing Parts under 37 CFR 1.52 or 1.53	ENCLOSURES (Check all that apply)					
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Dented name	Signature In hala					
Ignacio Perez de la Cruz	Printed name	Ignacio Perez de la Cruz				
Date March 1, 2005 Reg. No. 55,535	Date	March 1, 2005		Reg. No.	55,535	

in an envelope addressed to:	for Patents, P.O. Box	vice as Express Mail, Airbill No. EV 626909316 US, 1450, Alexandria, VA 22313-1450, on the date  (Linda Blake)

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hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 626909316 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

March 1, 2005

Docket No.: JJJ-P01-514

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Patent Application of:

Sampath et al.

Confirmation No.: 9813

Application No.: 09/445328

Art Unit: 1647

Filed: December 7, 1999

Examiner: D. S. Romeo

For: THERAPIES FOR ACUTE RENAL FAILURE

March 1, 2005

## RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

An office action was mailed on February 1, 2005 in connection with the subject application. The office action provided a period of one month for filing a response i.e. by March 1, 2005. Accordingly, this Amendment is being timely filed within the extended period.

The Office Action requires an election between the species of standard markers of renal function recited in claims 54 and 55, i.e. between rate of increase in BUN levels, rate of increase in serum creatine, static measurement of BUN, static measurement of serum creatine, glomerular filtration rate (GFR), ratio of BUN/creatine, serum concentration of sodium (Na+), urine/plasma ratio for creatine, urine/plasma ratio for urea, urine osmolarity, and daily urine output.

In response, applicants hereby elect with traverse the following species for search purposes only: glomerular filtration rate (GFR). Applicants submit that all pending claims read on the elected species. Applicants traverse the election requirement on the grounds that it would not pose an undue burden to the Examiner to search all the species.

Applicants respectfully remind the Examiner that upon allowance of the generic claims, applicants are entitled to consideration of claims to additional species which are written in

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dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, under Order No. JJJ-P01-514 from which the undersigned is authorized to draw.

Dated: March 1, 2005

Respectfully submitted,

Ignacio Perez de la Cruz

Registration No.: 55,535

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